

AG Contract No. KR98 2313TRN
ECS File: JPA 98-180
Project No.: N-900-0-543
TRACS No.: H4833 07C
Section: I-19 Continental TI

CONTRACT	
NO.	01-04-A-125544-0179
AMENDMENT NO.	
This number must appear on all invoices, correspondence, and documents pertaining to this contract	

INTERGOVERNMENTAL AGREEMENT
BETWEEN
THE STATE OF ARIZONA
AND
PIMA COUNTY, ARIZONA

THIS AGREEMENT is entered into 16 February, 1998, pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and PIMA COUNTY, ARIZONA acting by and through its BOARD OF SUPERVISORS (the "County").

I. RECITALS

1. The State is empowered by Arizona Revised Statutes Section 28-401 and 28-334 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the State.

2. The County is empowered by Arizona Revised Statutes Section 11-251 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the County.

3. Incident to an improvement project to the Continental traffic interchange on I-19 contemplated by the State in the County, to include sidewalks and handrails to maintain safety for pedestrians, at an estimated cost of \$8750.00, all at State expense, hereinafter referred to as the Project, the County has agreed to maintain the handrail and sidewalks upon completion by the State.

=====

NO. 22988
Filed with the Secretary of State
Date Filed: 02/16/99

Betty Bayless
Secretary of State

By Dicky V. Gueneau

II. SCOPE OF WORK

1. The State will:

a. Provide to State standards design plans, specifications and such other documents and services suitable for construction bidding and construction.

b. Call for bids and award one or more construction contracts for the Project. Administer same and make all payments to the contractor(s). Be responsible for all costs associated with the Project and for any contractor claims for extra compensation.

c. Upon completion, approve and accept the Project on behalf of the parties hereto, and provide maintenance to the roadway improvements.

The County will:

Upon completion and acceptance of the Project by the State, provide maintenance to the sidewalks and handrails, whether within or outside the State right-of-way.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall become effective upon filing with the Secretary of State.

2. This agreement shall remain in force and effect until completion of the work herein embraced; provided, however, that any provisions in this agreement for maintenance shall be perpetual.

3. This agreement shall be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this agreement.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Department of Transportation
Joint Project Administration
205 S. 17th Avenue - 616E
Phoenix, AZ 85007

Pima County
Public Works Director
201 N. Stone 1st floor
Tucson, AZ 85701

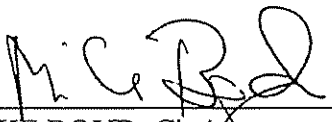
7. Attached hereto and incorporated herein is the written determination of each party's legal counsel that the parties are authorized under the laws of this state to enter into this agreement and that the agreement is in proper form.

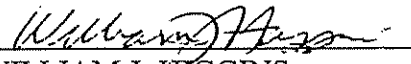
IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

PIMA COUNTY, ARIZONA

STATE OF ARIZONA

Department of Transportation

By 
MIKE BOYD, Chairman
Board of Supervisors JAN 05 1999

By 
WILLIAM J. HIGGINS
Deputy State Engineer

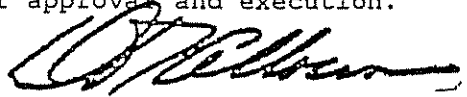
ATTEST:

By 
LORI GODOSHIAN
Clerk of the Board

RESOLUTION

BE IT RESOLVED on this 5th day of October 1998, that I, the undersigned MARY E. PETERS, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Intermodal Transportation Division, to enter into an agreement with Pima County for the purpose of defining responsibilities for the construction of improvements to the I-19 Continental traffic interchange.

Therefore, authorization is hereby granted to draft said agreement which, upon completion, shall be submitted to the Deputy State Engineer for approval and execution.

A handwritten signature in black ink, appearing to read 'D. Allocco', is written over a horizontal line.

DAVID R. ALLOCCO, P.E.
Assistant State Engineer
Engineering Technical Group
for Mary E. Peters, Director

RESOLUTION NO. 1999 7

RESOLUTION OF PIMA COUNTY BOARD OF SUPERVISORS APPROVING AND AUTHORIZING THE EXECUTION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN PIMA COUNTY AND THE STATE OF ARIZONA, DEPARTMENT OF TRANSPORTATION (ADOT), WHICH AGREEMENT PROVIDES FOR ACTIVITIES PERFORMED RELATING TO THE ADDITION OF SAFETY IMPROVEMENTS TO THE INTERSECTION OF I-19 AND CONTINENTAL ROAD, (ADOT JPA 98-180).
(DISTRICT 4)

WHEREAS, Pima County has determined it to be in the best interest of the public to enter into an intergovernmental agreement with ADOT for the purpose of an improvement project to the Continental traffic interchange on I-19, to include sidewalks and handrails to maintain safety for pedestrians, and

WHEREAS, ADOT agrees to have the project completed at State expense, and

WHEREAS, Pima County agrees to maintain the handrail and sidewalks upon completion.

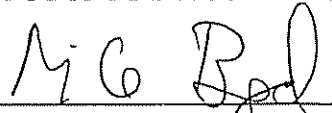
NOW, THEREFORE, UPON MOTION DULY MADE, SECONDED AND CARRIED, BE IT RESOLVED:

THAT Pima County enter into the intergovernmental agreement (JPA 98-180) with ADOT for the purpose of an improvement project to the Continental traffic interchange on I-19, to include sidewalks and handrails to maintain safety for pedestrians, and

THAT the Chairman of this Board is hereby authorized and directed to sign the intergovernmental agreement (JPA 98-180) with the Arizona Department of Transportation.

PASSED, ADOPTED AND APPROVED this 5th day of January 1999.

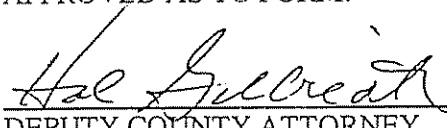
PIMA COUNTY BOARD OF SUPERVISORS


CHAIRMAN
JAN 05 1999

ATTEST:


CLERK OF THE BOARD

APPROVED AS TO FORM:


DEPUTY COUNTY ATTORNEY

ATTORNEY CERTIFICATION

The foregoing Intergovernmental Agreement Number (JPA 98-180) by and between the Arizona Department of Transportation and Pima County Transportation and Flood Control District has been reviewed pursuant to A.R.S. § 11-952 by the undersigned Deputy Pima County Attorney who has determined that it is in proper form and is within the powers and authority granted under the laws of the State of Arizona to those parties to the agreement represented by the Pima County Attorney.

Albin Krief

Deputy Pima County Attorney

12/17/98

Date

DEPARTMENT APPROVAL

The foregoing Intergovernmental Agreement Number (JPA 98-180) by and between the Arizona Department of Transportation and Pima County Transportation and Flood Control District has been reviewed and is hereby approved as to content.

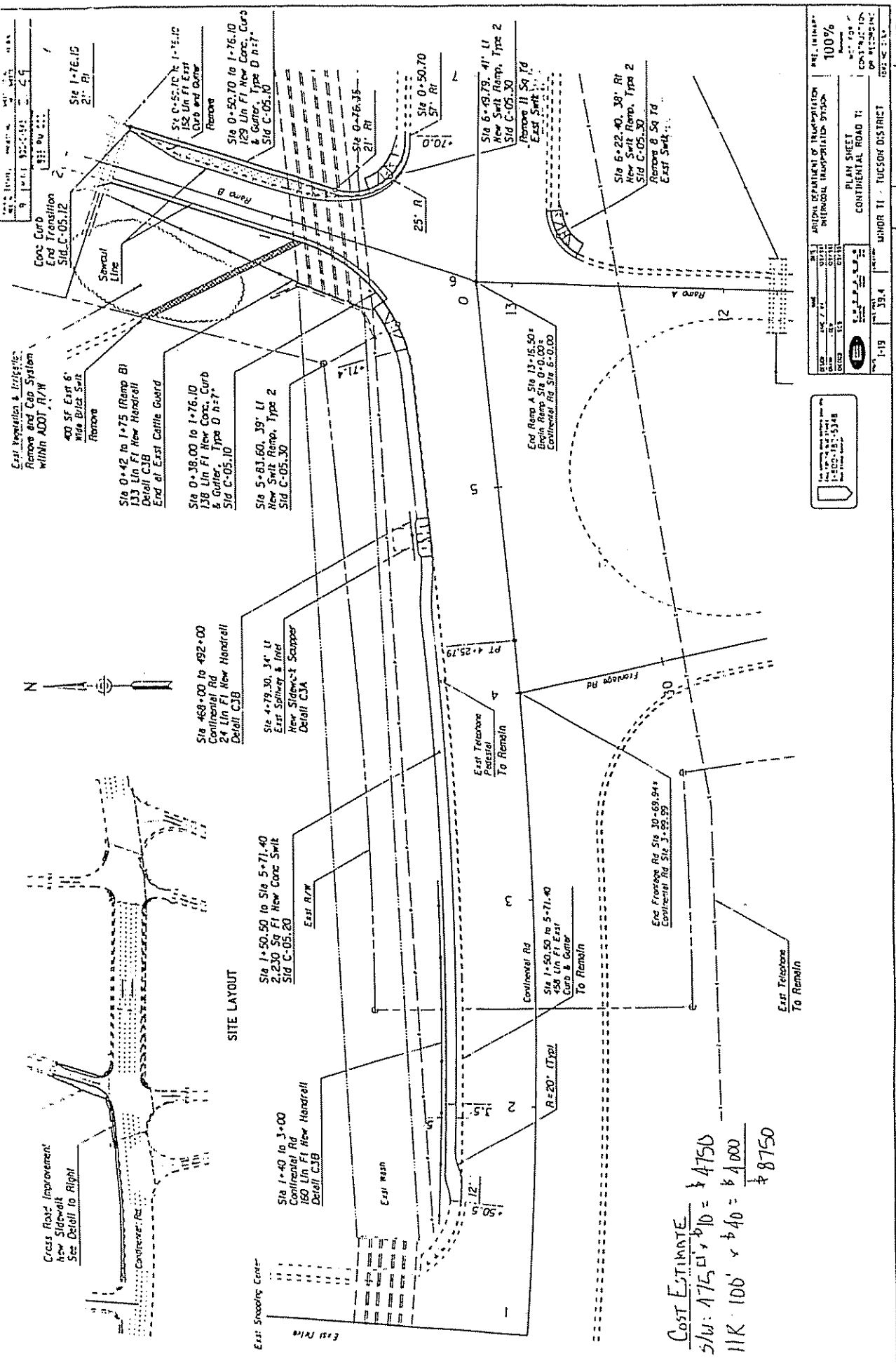
Brooks A. Keenan

for Brooks A. Keenan
Chief Engineer

Pima County Transportation and Flood Control District

12/17/98

Date



COST ESTIMATE
 5/10: 175' x 10' = \$ 4750
 11R: 100' x 40' = \$ 4000
 \$ 8750

ARIZONA DEPARTMENT OF TRANSPORTATION INDIANAPOLIS, INDIANA 46204-0001		PROJECT NO. 100-0-543 SHEET NO. 100-0-543
PLAN SHEET CONTINENTAL ROAD TO MINOR T1 - TUCSON DISTRICT		SCALE: 1" = 39.4' DATE: 1-19-78
DESIGNER: [Signature] CHECKED: [Signature] DATE: 1-19-78		TRACS NO. H 4833 OF C 100-0-543



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX 85007-2997

TRN Main: (602) 542-1680

Direct: (602) 542-8837

Fax: (602) 542-3646

MAIN PHONE : 542-5025

TELECOPIER : 542-4085

JANET NAPOLITANO
ATTORNEY GENERAL

INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A.G. Contract No. KR98-2313TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATE February 9, 1999.

GRANT WOODS

Attorney General

A handwritten signature in black ink, appearing to read "James R. Redpath", is written over a horizontal line.

JAMES R. REDPATH

Assistant Attorney General

Transportation Section

JRR:et/18899

Enc.